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PATENT  
Customer No. 22,852  
Attorney Docket No. 09812.0078-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Makoto YAMATA et al. ) Group Art Unit: Unassigned  
)  
Application No.: 10/578,347 )  
) Examiner: Unassigned  
Filed: May 5, 2006 )  
)  
For: RECORDING APPARATUS AND )  
METHOD, PLAYBACK )  
APPARATUS AND METHOD, )  
RECORDING MEDIUM, AND )  
PROGRAM (AS AMENDED) )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

Copies of the listed foreign and non-patent documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate they were considered by making an appropriate notation on the attached form.

English abstracts and claims for the Japanese patent publications are attached. A communication from the Australian Patent Office in a corresponding application citing the listed documents and setting forth the relevance thereof is also attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of the documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

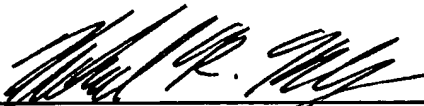
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

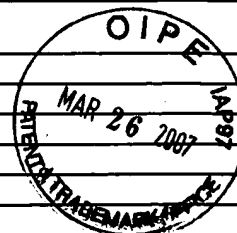
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 26, 2007

By:

  
\_\_\_\_\_  
Michael R. Kelly  
Reg. No. 33,921

IDS Form PTO/SB/08: Substitute for form 1449A/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			<i>Application Number</i>	10/578,347	
			<i>Filing Date</i>	May 5, 2006	
			<i>First Named Inventor</i>	Yamada et al.	
			<i>Art Unit</i>	Unassigned	
			<i>Examiner Name</i>	Unassigned	
Sheet	1	of	1	<i>Attorney Docket Number</i>	09812.0078-00000



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No.	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <i>(if known)</i>			

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation
		Country Code Number Kind Code <i>(if known)</i>				
		JP 2001-160947	06/12/2001	Tsujii et al.		Abstract and Claims
		JP 2003-168283	06/13/2003	Kiyama et al.		Abstract and Claims

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.